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REGULAR MEETING OF THE CITY COUNCIL

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MAY 19, 2009

CITY COUNCIL CHAMBERS

PRESENT: PAUL R LEPAGE, MAYOR  
MIKE ROY, CITY MANAGER  
WILLIAM LEE, CITY SOLICITOR

COUNCILORS: CHARLES F. STUBBERT, JR., MARY-ANNE  
BEAL, ROSEMARY WINSLOW, DANA SENNETT, CHAIR,  
JOHN O'DONNELL, THOMAS LONGSTAFF AND CARL S  
BASGALL

EXECUTIVE SESSION

UNION CONTRACT 6:30 P.M.

1 M.R.S.A. LABOR CONTRACTS NEGOTIATIONS

PUBLIC HEARING

6:45 P.M.

DONWTOWN REVITALIZATION CDBG PROGRAM  
&  
HOUSING ASSISTANCE CDBG PROGRAM

REGULAR MEETING

7:00 P.M.

APPROVAL OF CONSENT AGENDA

REGULAR MEETING      CONSENT AGENDA      MAY 19, 2009

MINUTES

APPROVAL OF MAY 5, 2009

RESOLUTION NO 57----ROLL OF ACCOUNTS NO 10

Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

### UNFINISHED BUSINESS

RESOLUTION 55- A RESOLUTION PROVIDING FOR A  
DECLARATION OF INTENT FOR BOND ISSUANCE  
AND GENERAL FUND REIMBURSEMENT

WHEREAS, the City of Waterville, Maine  
The "Issuer") currently intends to proceed  
with renovations to the Waterville Public  
Library and Waterville High School (the  
"Projects");

WHEREAS, the Issuer intends to finance the  
cost of the Projects through the issuance of tax  
exempt bonds (the "Obligation");

WHEREAS, the Issuer anticipates making  
certain expenditures with respect to the Projects  
prior to the issuance of the Obligations;

WHEREAS, the Issuer intends to allocate  
certain proceeds of the Obligation to reimburse  
the Issuer for any such expenditures made with  
respect to the Projects; and

WHEREAS, Treasury Regulation Section 1.150-2  
requires that the Issuer declare its official  
intent to reimburse any expenditure with respect  
to the Projects no later than sixty (60) days  
after the payment of such expenditures;

NOW THEREFORE, the Issuer does hereby  
declare its official intent as follows:

1. Declaration of Intent. This

declaration is  
a Declaration of Official Intent under  
Treasury  
Regulation Section 1.150-2. The Issuer  
intends

to reimburse any expenditure made on the Projects  
with the proceeds of the Obligation. All  
expenditures to be reimbursed will be made prior  
to the date of the issuance of the Obligation.

2. Intention to Reimburse. On the date hereof, the Issuer reasonably expects to reimburse its expenditures made with respect to the Projects from the proceeds of the Obligation.

3. General Description of Property to Which Reimbursement Relates. The following is a general functional description of the type of property for which the expenditures to be reimbursed are paid: Capital improvements.

4. Statement of Expected Debt. The maximum principal amount of debt expected to be issued for the Projects is \$2,500,000.

5. Identification of Source of Funds. Expenditures made on the Projects shall be paid from the Issuer's general funds.

6. Public Availability of Official Intent. This Declaration of Official Intent shall be maintained as a public record of the Issuer and shall be maintained and otherwise supervised by the Clerk of the Issuer. This Declaration of Intent shall be continuously available for public inspection at the office of the Clerk during normal business hours of the Issuer until the date of the issuance of the Obligation.

7. Reimbursement Period. The Issuer intends to reimburse expenditures made with respect to the Projects within three (3) years of the later of the date on which the expenditure was paid or the date on which the Projects is placed in service. Moreover, the Issuer intends that any expenditure to be reimbursed will be capital expenditure as defined in Treasury Regulation Section 1.150-1(b).

8. Reasonableness Standard for Declaring Official Intent. The Issuer believes that this Declaration of Official Intent is consistent with its budgetary and financial circumstances. None of the expenditures on the Projects have been budgeted by the Issuer or otherwise provided for by reserves or other long-term holdings established by the Issuer. Moreover, the Issuer has not developed a pattern of failing to reimburse expenditures subject to other Declarations of Official Intent.

9. Miscellaneous Restrictions. This Issuer intends that none of the proceeds from the Obligation shall be used directly or indirectly

in violation of the "anti-abuse rules" set forth in Treasury Regulation Section 1.150-2(h).

10. Authority of Declaration. This Declaration of Official Intent is adopted pursuant to Projects approvals duly adopted by the legislative body of the Issuer.

Sennett Moved to Read by Title Only

Longstaff Seconded the Motion

Vote: All in Favor (7-0)

Sennett Moved to Adopt

Winslow Seconded the Motion

Longstaff Moved to Amend

Item #4 on the Statement of

Expected Debt to Read As Follows:.

The Maximum

Principal Amount of Debt Expected

to be Issued for the Projects is

\$7,750,000 (Which is an Increase

in Phase 3 of \$2,000,000 in

Option C )

Winslow Seconded the Motion

Vote: All in Favor (7-0)

ORDER 23-AN ORDER PROVIDING FOR APPROVAL OF LEASE  
FOR EDUCARE PROJECT

BE IT HEREBY ORDERED by the City Council of the City of Waterville, acting as the municipal officers as follows:

THAT the City Manager be authorized to sign the attached lease for the Educare project to construct a facility on property adjacent to the George Mitchell School.

Order Read in Full

Sennett Moved to Accept

Winslow Seconded the Motion

Longstaff Moved to Postpone the Second

Reading of Order 23-2009 to the Next

Meeting on June 2nd

Winslow Seconded the Motion

Vote: All in Favor (7-0)

ORDER 24-AN ORDER PROVIDING FOR AUTHORIZATION FOR  
SPECIAL MUNICIPAL ELECTION TO BE HELD ON  
JUNE 9, 2009, FOR THE WATERVILLE PUBLIC

SCHOOL BUDGET REFERENDUM AND THE AOS  
SCHOOL BUDGET REFERENDUM

BE IT ORDERED by City Council of the  
City of Waterville acting as the municipal  
officers as follows:

THAT, pursuant to Article X, Sections 5 and  
12, of the Charter for the City of Waterville,  
the City Council hereby authorizes a Special  
Municipal Election to be held on June 9, 2009,  
for the following Referendum Questions as  
follows:

Do you favor approving the Waterville Public  
School's Budget for the upcoming school year that  
was adopted by the City Council Budget and that  
includes locally raised funds that exceed the  
required local contribution as described in the  
Essential Programs and Services Funding  
Act?

- A **YES** vote allows additional funds to be raised  
for k-12 public education
- A **NO** vote means additional funds cannot be raised  
for K-12 public education

Do you favor approving the KENNEBEC VALLEY  
CONSOLIDATED SCHOOLS AOS budget for the  
upcoming school year that was adopted at  
the latest AOS budget meeting?

BE IT FURTHER ORDERED THAT a Warrant  
is issued fixing the polls to open at 8:00  
A.M. and close at 8:00 P.M. and stating  
the Referendum  
Question as set forth above.

BE IT FURTHER ORDERED THAT the City  
Clerk shall give all necessary notices for  
the holding of such election.

Sennett Moved to Read by Title Only  
Basgall Seconded the Motion  
Vote: All in Favor (7-0)  
Order Read by Title Only  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Sennett Moved to Hold Third and Final  
Reading by Title Only Winslow Seconded  
the Motion

Vote: All in Favor (7-0)  
Order Read by Title Only  
Sennett Moved to Adopt  
Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F Stubbert Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		
Thomas Longstaff	6		
Carl S Basgall	7		
Vote	(7-0)		

ORDER 25-AN ORDER PROVIDING FOR THE CITY TO ACCEPT  
\$2,000 GRANT FROM THE UNITED WAY OF MID-MAINE

BE IT HEREBY ORDERED by City Council  
of the City of Waterville acting as the  
municipal officers as follows:

THAT the City accept \$2,000.00 from  
the United Way of Mid-Maine for a heating  
assistance grant. This funding, part of  
the Keeping Mid-Maine Warm initiative,  
will be spent by General Assistance  
department for fuel assistance for  
clients who may not qualify for General  
Assistance or emergency assistance through  
other local agencies.

Sennett Moved to Read by Title Only  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Order Read by Title Only  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Sennett Moved to Hold Third and Final  
Reading by Title Only  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Order Read by Title Only  
Sennett Moved to Adopt  
Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F Stubbett Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		
Thomas Longstaff	6		
Carl S Basgall	7		
Vote	(7-0)		

ORDINANCE 04-AN ORDINANCE PROVIDING FOR REPEAL OF  
ORDINANCE 125-2003 (CONTRACT ZONE FOR 302  
MAIN STREET) AMENDMENT TO ORDINANCE 9-2005  
(CONTRACT ZONE FOR 304 MAIN STREET), AND  
AMENDMENT TO ZONING, ARTICLE 2, SECTION  
2.1.1, THE OFFICIAL ZONING MAP  
AND THE WRITTEN DESCRIPTION OF THE ZONING  
BOUNDARIES OF THE CITY OF WATERVILLE,  
MAINE (HOSPICE)

BE IT ENACTED by the City Council of  
the City of Waterville, acting as the  
municipal officers as follows:

THAT the zoning Ordinance, Article 2,  
Section 2.1.1., the official zoning map dated  
April 6, 1999, and the written description of  
zoning boundaries dated July 6, 1971, be and  
hereby are amended as shown on the attached.  
Those parcels are owned by Hospice Volunteers of  
Waterville and found on the Property Map of the  
City of Waterville dated April 1, 1992, as  
updated on April 1, 2009.

Sennett Moved to Read by Title Only

Winslow Seconded the Motion

Vote: All in Favor (7-0)

Ordinance Read by Title Only

Sennett Moved to Accept

Winslow Seconded the Motion

Vote: All in Favor (7-0)

Sennett Moved to Hold Third And

Final Reading by Title Only

Winslow Seconded the Motion

Vote: All in Favor (7-0)

Ordinance Read by Title Only

Sennett Moved to Adopt

Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F. Stubbert Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		
Thomas Longstaff	6		
Carl S Basgall	7		
Vote	(7-0)		

### NEW BUSINESS

#### RESOLUTION 58-A RESOLUTION PROVIDING FOR ISSUANCE OF A SECONDHAND DEALER LICENSE TO NORMAND ST MICHEL D/B/A "NORM'S NEW & USED ITEMS"

BE IT RESOLVED by the City Council of the  
City of Waterville, acting as the municipal  
officers, as follows:

THAT, the City Council hereby authorize the  
issuance of a Secondhand Dealer License to  
Normand St Michel d/b/a "Norm's New & Used Items"  
at 1 Post Office Square.

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

#### ORDER 26-AN ORDER PROVIDING FOR ACCEPTANCE OF GRANT (CDBG) PROGRAMS

WHEREAS, the City of Waterville  
applied to the Department of Economic and  
Community Development for a Community  
Development Block Grant to carry out  
community development programs; and

WHEREAS, the planning process required by  
Maine Law and the CDBG Program have been complied  
with, including participation in the planning  
process by low and moderate income families and  
individuals and the community has conducted at  
least one duly advertised public hearing; and

WHEREAS, the State Department of Economic  
and Community Development has awarded program  
grant funds in the amount of \$500,000 for  
Downtown Revitalization and \$250,000 for Housing  
Assistance for the Gilman Street School projects.



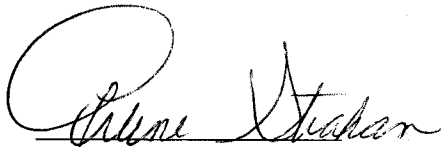
NOW THEREFORE, be it resolved by the Waterville City Council hereby authorizes acceptance of \$500,000 for a Downtown Revitalization Program and \$250,000 for a Housing Assistance Grant for the Gilman Street School project and further that the City Manager:

- 1) Is authorized and directed, upon acceptance of said funds to carry out the duties and responsibilities for implementing and said program, consistent with the Charter of the City of Waterville and the laws and regulations governing planning and implementation of community development programs in the State of Maine, and
- 2) Is further authorized to make assurances on behalf of the City of Waterville required as part of such applications.

Order Read in Full  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

There being no further business the meeting was adjourned.

A true copy attest

  
City Clerk